Sectt. II-29—27,004—25-11-26.

Development (1926) Department.

Revenue SERIES.

G.O. No. 931

DATED 30/6/26

[Despatch Abstract.]

Forest - Land acquisition - South Kanara district - cancellation of section 4(1) notification - Notified.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

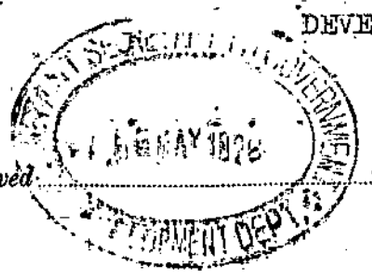
FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

C F. 80—41,000—8-9-24.

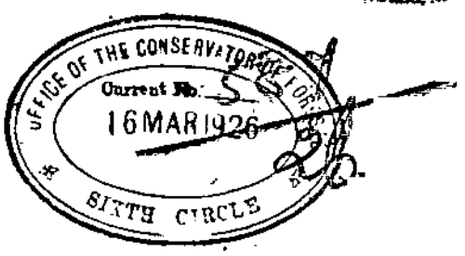
DEVELOPMENT DEPARTMENT.

Dev 1897 I
5.3.26



Received ..... 192 . *Registered* 192

Subject.



Forest - Land Acquisition - South Kanara District Mangalore Taluk - Kavalmudur village - S.No.100/1B & 3A2 - Notification under Section 4 (1) - cancellation - G.O.No. 1040-Mis. dated 21st July 1925.

(K)

ENCLOSURES.
No. .....
.....
Spare copies .....

Ref.C.No. 5884-25-B3.

Station Mangalore , *Dated the* 10th March 1926.

From (Name) G. W. Wells, Esquire, M.A., I.C.S.,

(Designation) Collector of South Kanara.

To The Secretary to the Government of Madras,

Development Department.

Through the Chief Conservator of Forests, Madras, &
the Conservator of Forests, VI Circle,
Ootacamund.

Sir,

The lands proposed to be acquired have since been arranged to be taken on a lease for 30 years for the reasons mentioned in the Land Acquisition Officer's report D.Dis.No. 3053-25 dated 22nd December 1925 - copy enclosed. I accordingly enclose for favour of approval and publication in the Fort Saint George Gazette a draft notification cancelling the notification under section 4 (1) already published.

Your obedient servant,

For Collector.

Ref. M/587/26-1

for Conservator of Forests
VI Circle

M.D'S.12/3.

12/3/26

please return copy of the draft

Report-from A. C. Woodhouse, Esquire, Revenue Divisional Officer, Mangalore.
To-the Collector of South Kanara.
Dated-Mangalore, 22nd December 1925.
No.- D.Dis.C.No.3053-25-Revenue.

****

Land Acquisition - Mangalore Taluk - Kavalmudur village - Road for connecting Kodia-male Forest Road with the Local Fund Road - Enquiry under section 5A of the Land Acquisition Act.

****

I held the necessary enquiry under section 5A of the L.A. Act. In response to the notice duly published the interested party strongly objected to the acquisition of the land in question for various reasons set forth in his objection petition dated 10th August 1925. I arranged therefore a local inspection with the District Forest Officer, Mangalore (North) on 29th October 1925.

The Moktessor of the temple intimated his willingness to lease the existing road to the Forest Department on certain terms if the Land Acquisition proceedings were dropped. The District Forest Officer roughly outlined there what conditions he would require and the vakil for the Moktessor readily agreed to these. The vakil was asked to open the road to the passage of firewood immediately and this was done. The draft conditions of the lease are contained in Mr. Bhat's petitions dated 5th November 1925 and 21st December 1925. Please see District Forest Officer's letter dated 20th November 1925 agreeing to the conditions. In these circumstances, the Land Acquisition Proceedings may be dropped and the conditions of the lease embodied in a document prepared by the Government pleader.

The connected records are enclosed.

****

M.D'S.12/3. 12/2/26.

3-2-4

Draft Notification.

~~The Government hereby direct that~~ The notification under Sec'n 4 (1) of the Land Acquisition Act relating to the acquisition of S. No. 100/1B and 100/3A2 of Kavalmudur village, Mangalore Taluk,' published on page 1252 of Part I of Fort Saint George Gazette dated 14-7-25, is ~~hereby~~ cancelled, ~~as the party has expressed his willingness to lease out the land to the Forest Department.~~

Office of the Asst. Forest Officer, Mangalore, dated 1st March 1926.

23/26.

For Asst Forest Officer, North Mangalore.

U.N. 3-3-
compd 8.

Enclosure. 4

Term lease executed by Baltha Bail Krishnacharya, son of Naraina Acharya, land holder of Brahmin Caste and residing at Kavalmudur village. Mangalore Taluk. being the managing Trustee and Moktessor of Sri Karanjeshwar temple Treasury and its properties for and on behalf of the said Treasury (hereinafter called the lessor and this term shall include the representatives, executors and successors in Office) in favour of the Secretary of State for India in Council represented by G.W. Wells Esq., M.A., I:C.S., the District Collector of South Kanara, Mangalore, (hereinafter called the lessee and this term shall include successors in Office), witnesseth as follows:--

Whereas the undermentioned immovable properties belonging to the aforesaid temple Treasury and enjoyed by the same the patta of the said property standing in the name of the said Temple Treasury having been demanded by the District Forest Officer. Mangalore North, the immediate subordinate officer of the lessee for the construction of a public road thereon commencing from the Kodiamale Forest to the nearest public pathway for the purpose of carrying fuel etc. from the above said forest by carts etc., and the lessor having agreed to grant the said property on lease for a term of thirty years commencing from the 1st day of September 1925 till the 30th August 1955, on an annual of Rs.25/- which the lessor doth hereby grant on lease for the aforesaid term of thirty years the possession thereof having been handed over on to for and on behalf of the lessee on the specific conditions and covenants as set forth hereunder.

That the lessee shall pay the lessor the aforesaid annual rental at the rate of Rs.25/- by the end of August every year commencing from 1926 for the year in which the road is used by Government contractors and in default of payment of the said rent by the due date, it shall carry interest at 12½ per cent. per annum from date of default till payment and the same shall be paid by the lessee to the lessor and the lessee shall be entitled to enjoy the said property on term lease till 30th August 1955 on which date the lessee shall be bound to surrender the said land to the lessor along with the arrears with -

interest thereon if any.

That the lessee shall not be entitled to obstruct the lessor or the temple authorities in any manner when they are passing from such newly constructed road at the time of the customary annual ceremonies and functions as detailed below and the lessor or the Temple authorities shall have the full right of keeping out untouchables ~~xx~~ such as Billavas, Pariahs, etc., from entering the said road at the time of such ceremonies or functions.

The ceremonies and functions of the temple are:--

(a) Car festival of the temple successively continued for 7 days commencing from the 10th Magha Bahula and ending on the 2nd Phalguna Shudda of every year. The ceremony is to be performed proceeding with procession on every night with exception of Amavasya on which day the function is to be performed at day time.

(b) A procession at day time on the 5th day of Kanya month every year for bringing the Kadru to the temple.

(c) Pownji Festival to be performed on the 9th Aswija Shudda of every year the procession of which is carrying at night.

(d). Deepostavam ceremony to be performed on the 30th Karthika Bahula of every year at night.

(e) Ranga Puja to be performed at night in any day when any of the votaries offers to be performed at his expense and this rare opportunity is to take place once in four or five years as such function costs nearly Rs.2000/-- of rupees and the procession thereof is to carry on at night on such Ranga Puja day.

The lessor shall be fully entitled to collect the rent from the temporary stall keepers for their building the temporary sheds or shops of markets on the immovable property in question and by the side of the newly constructing road and which custom is followed by the temple authorities from time immemorial.

Description of property.

Property situated in Kavalmudur village, Mangalore Taluk.

S.No.	Sub-Divn.No.	Kissam.	Extent.	Assessment.
100.	1-B.	-	0.13	
100	3A2.	-	0.28	

In Witness whereof the executor has set his hand this day 1926.

6

3103/26

3103

Ref. No M. 587/26.

Forwarded to the Chief Conservator of Forests, Madras.

2. A copy of the draft lease proposed to be entered into with the Moktessor of the temple, prepared by the Government Pleader, Mangalore, is enclosed.

pJ 4.

3. The payment of Rs.25/-- per annum for such of the years in which the road is used by the department may be sanctioned (the sanction of the Government seems necessary) and the proposals for acquisition withdrawn.

H. Latham
21. 4. 26

Ootacamund, 19-4-1926.

Conservator of Forests, VI Circle.

V.R.20/4

DEST.
21 APR 1926

Ref.No.3103/26 dated 28th April 1926.

Submitted to Government for approval and publication of the draft notification in the Fort St. George Gazette.

2. I have approved the draft lease-.

for Chief Conservator.

To

The Secretary to Government,
Development Department,
Fort St. George, Madras.

Development Dept

C. no. 1294 I

Memo. 1297 I dt 20-5-26

The S. Ge. P. is requested to publish the accompanying notification in the next issue of the Fort St. George Gazette

p.4 c.f.

18/5/26.

To the S. Ge. P. (with notice at p.4 c.f. as amended)

Copy to the C. C.

DESPATCHED
22nd MAY 1926

Development Dept.

C. No. 1297 I.

Subject – Land Requisition – S. Kanara – Withdrawal of Notification

To U.S.

Please see the Correspondence in the C. f. The S. G. P. may be requested to publish the notification on p. 44 C. f. as amended in pencil. A draft O. M. is submitted

18/5/26

18.5.26
183-26

To Under Secy

The notification has appeared in the Gazette. Draft order is submitted for approval

28/6.

25-6-26.
26-6-26

P.W. 1-7 C.f.

Secy. H-5 (8)—25,000—26-11-25. (6)

Dev: DEPARTMENT

	Date.	Initials.
When received for Fair-copying.	28/6	
When copied	28/6	
When examined	29/6	
When signed	30/6	
When despatched		

Forest — Land acquisition — Sirsk Kanara Dt — Cancellation of Section 4 & notification — Notified

READ AGAIN G.O. No. 1040 Dev, dated 21—7—1925.

" " " " " " 192 .

READ ALSO :—

1st C. No. 1297-I From the Collector of S. Kanara No. 5884/26-B-3, dated 10-3-1926.

2nd " " " " CCF " 310 3/26 " 28—4—1926.

" " " " " " 192

ORDER.

No. 931, dated 30-6-1926.

Mis. 28/6

The draft notification has been approved and published in notification No. 201 dy 20-5-26 on page 1082 of Part I of the Fort St. George Gazette dy 25-5-26.

28/6

25-6-26

26.6.26

To

The Collector of S. Kanara.

" C.C.F.

DESPATCHED
30 JUN 1926